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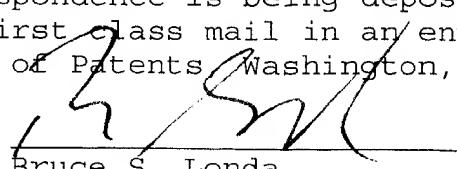
JUL 09 2002

TECH CENTER 1600/2900 PATENTS



MAILING CERTIFICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents Washington, D.C. 20231 on June 27, 2002


Bruce S. Londa

#6
CD
7/17/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Docket No: 101195-67

Examiner : TBA

COPY OF PAPERS
ORIGINALLY FILED

Group Art Unit TBA

Applicant : Peter Daniel

Appln. No. : 09/979,513

Filed : February 25, 2002

For : Method for Detecting the Effect of Different Chemotherapeutic Agents...

INFORMATION DISCLOSURE STATEMENT

Hon. Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

The following sections are being submitted for this Information Disclosure Statement:

- Sec. 1 - Preliminary Statements
- Sec. 2 - Identification of Time of Filing
- Sec. 4 - Statements with Respect to Listing of Information
- Sec. 5 - Statements with Respect to Translations of Non-English Information
- Sec. 6 - Statements with Respect to Copies of Listed Information Items Accompanying This Statement
- Sec. 8 - Concise Explanation of Listed Information Items

Section 1
Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56 it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(b) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

Section 2
Identification of Time of Filing

This Information Disclosure Statement is filed before the issuance of the first office action.

The art was encountered in the course of the prosecution of the corresponding foreign application(s) in German patent application no. 199 22 052.2-41. The two books (AS2 and AT2) were cited in the present application on page 2.

Section 4
Statements with Respect to Listing of Information

A list of the and publications is set forth on the attached 2 pages of Form PTO-1449 (modified).

Section 5
Statements with Respect to Translations of
Non-English Information

No English language translations of the foreign language patents, publications or information or parts thereof are readily available.

Section 6
Statements with Respect to Copies of Listed Information
Items Accompanying This Statement

A copy of each of the items on PTO-1449 (modified) is supplied herewith except for the two books listed on page 2 of Form 1449. However, two relevant sections from AS2 are enclosed; plus the title pages from both books.

Section 8
Concise Explanation of Listed Information Items

The two books listed on page 2 of Form 1449 are discussed in the first full paragraph of page 2 of the present application.

Respectfully Submitted,



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**LIST OF PATENTS AND PUBLICATIONS
APPLICANT'S INFORMATION
DISCLOSURE STATEMENT
(Form PTO-1449 Modified)**

Attorney Docket:
101195-67

Serial No.
09/979,513

Applicant:
Peter Daniel et al.

Filing Date:
Feb. 25, 2002

**COPY OF PAPERS
ORIGINALLY FILED**

U.S. PATENT DOCUMENTS

Examiner's Initial		Document Number	Date	Name	Class	Sub Class	Filing Date If appropriate
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation Yes No
	AL						
	AM						
	AN						
	AO						
	AP						

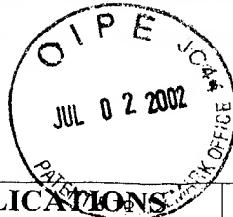
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	H. Schmoll et al.; "Kompendium Internistische Onkologie". Springer 1997, (Book - only the title page is enclosed)
	AS	P. Ostendorf et al.; "Hamatologie Onkologie" Urban & Schwarzenberg 1997, (book - only two examples enclosed, pg. 557,558 and 551)
	AT	

EXAMINER:

DATE CONSIDERED:

- **EXAMINER:** Initial if Reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformation and not considered, include copy of this form with next communication to applicant.



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Page 1

**LIST OF PATENTS AND PUBLICATIONS
APPLICANT'S INFORMATION
DISCLOSURE STATEMENT**
(Form PTO-1449 Modified)

Attorney Docket: 101195-67	Serial No. 09/979,513
Applicant: Peter Daniel et al.	
Filing Date: Feb. 25, 2002	Group:

U.S. PATENT DOCUMENTS

Examiner's Initial	Document Number	Date	Name	Class	Sub Class	Filing Date If appropriate
AA						
AB						
AC						
AD						
AE						
AF						COPY OF PAPERS ORIGINALLY FILED
AG						
AH						
AJ						
AJ						
AK						

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	Translation Yes No
AL						
AM						
AN						
AO						
AP						

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	H. Findley et al., "Expression and Regulation of Bel-2, Bel-xl, and Bax Correlate with p53 Status and Sensitivity to Apoptosis in Childhood Acute Lymphoblastic Leukemia" Blood, Vol. 89, No. 8 April 1997, pgs. 2986-2993
AS	Databank MEDLINE; H. Burger et al., "Expression of p53, p21/WAF/CIP, Bcl-2, Bax, Bcl-x, and Bak in Radiation-induced Apoptosis in Testicular Germ Cell Tumor Lines" International Journal of Radiation Oncology, Biology, Physics, May 1998
AT	Databank MEDLINE; O. Katoh et al., "Vacular Endothelial Growth Factor Inhibits Apoptotic Death in Hematopoietic Cells After Exposure to Chemotherapeutic Drugs by Inducing MCL1 Acting as an Antiapoptotic Factor"; Cancer Research, Dec. 1998

EXAMINER:	DATE CONSIDERED:
<ul style="list-style-type: none"> • EXAMINER: Initial if Reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformation and not considered, include copy of this form with next communication to applicant. • 	